

“...each of said rows being provided on said disk in a manner in which *each of the spaces between the positive images in one row are offset from each of the spaces between the positive images in another row*” (emphasis added).

Kubo clearly shows in Figure 1 that the space between positive images in one row directly align with the space between positive images in another row. Thus, Kubo does not teach the subject matter of the claimed invention.

Further, in the response filed August 24, 2005, Applicants amended independent claims 8, 10, 11, and 13 to recite that the positive images are printed on a first portion of the second surface of the disk and *indicia is provided on a second portion* of the second surface of the disk. Kubo does not disclose or suggest printing indicia on a portion of the surface of the disk separate from the portion including the positive images. In fact, Kubo shows in Figure 1 that the positive images are spread across the entire surface of the disk, and therefore does not allow for placement of indicia in a separate, or second, portion of the disk not including indicia. Applicants note that the portion including indicia in Figure 1 of Kubo corresponds to inner ring 22 of Applicant's Figure 1, which is not part of the printable or labeled area of Applicants' disk, as shown in Applicants' Figure 1 and described in the specification at page 2, lines 25-26.

For at least the above reasons, Kubo does not disclose or suggest the subject matter of the invention as claimed in independent claims 8, 10, 11, 13, 15, 19, 22, 26, 30, 33, and 37, or the claims dependent therefrom. Reconsideration and withdrawal of the rejection are in order, and are respectfully solicited.

Prompt action in the form of a Notice of Allowance for all pending claims 8, 10, 11, and 13-40 in view of the above remarks is respectfully requested. Should the Examiner require anything further, a telephone call to the undersigned representative is respectfully requested.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.